



**US Army Corps
of Engineers**

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435
www.mvk.usace.army.mil



Public Notice

APPLICATION NO.:	ADS-MVK-2006-1915
EVALUATOR:	Mr. Arel Simpson
PHONE NO.:	(601) 631-5996
FAX NO.:	(601) 631-5459
E-MAIL:	regulatory@mvk02.usace.army.mil
DATE:	April 13, 2007
EXPIRATION DATE:	May 4, 2007

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, and the Louisiana Department of Environmental Quality, Office of Environmental Services are considering an application for a Department of the Army permit and State water quality certification for the work described herein. A water quality certification is required in accordance with statutory authority contained in the LRS 30:2074 A(3) and provisions of the Clean Water Act. Comments should be forwarded to the Vicksburg District, Attention: CEMVK-OD-F, at the above address and the Louisiana Department of Environmental Quality, Office of Environmental Services, Post Office Box 4313, Baton Rouge, LA 70821-4313. The Louisiana Department of Environmental Quality has a copy of the application on file in their office in Baton Rouge and may be inspected at any time between 8:00 a.m. and 4:30 p.m. weekdays. Copies may be obtained from the Louisiana Department of Environmental Quality upon payment of cost of printing. The Louisiana Department of Environmental Quality will make a final decision on the water quality certification pertaining to this application within 30 days after expiration of this notice.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

Name of Applicant:
Dr. Ray Armstrong
P.O. Box 4043
Monroe, Louisiana 71211

Name of Agent:
Tom Bourland & Associates, LLC
9847 Neesonwood Drive
Shreveport, Louisiana 71106

Location of Work: Sections 14 and 15, T18N-R3W, latitude 32°32'32" North longitude 92°39'21" West, within the Cypress Creek drainage basin, Lincoln Parish, in Ruston, Louisiana.

Description of Work: (See enclosed map and drawings.)

The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for an after-the-fact Department of the Army permit for mechanized land clearing and fill activities associated with the construction of a retention pond.

The applicant's purpose for the project is to commercially develop a 16-acre tract of land containing approximately 0.005 acre of wetlands and 0.15 acre (650 linear feet) of perennial stream. The final project design has impacted approximately 0.12 acre (514.7 linear feet) of other waters of the United States.

Approximately 300 linear feet of the perennial stream has been impacted by culverts and fill material. Approximately 114.7 linear feet of the perennial stream has been excavated and inundated as a part of the retention pond. Approximately 100 linear feet of the perennial stream has been excavated and filled to construct the retention pond dam. Approximately 11,000 cubic yards of on site fill material has been used to construct the retention pond dam and fill the culverted stream.

The retention pond dam has an approximately length of 500 feet, base width of 100 feet, top width of 10 feet, height of 4 feet, 3 to 1 back slope, 3 to 1 front slope, and 2 to 1 front slope below 225 feet National Geodetic Vertical Datum (NGVD). The retention pond bottom has been excavated to a depth 12 feet below the top of the dam to increase its holding capacity. The retention pond has a pool elevation of 220 feet NGVD.

The vegetation within the impact area consists of sweet gum, water oak, American sycamore, red maple, American hornbeam, black gum, grape vine, poison ivy, and greenbriar.

During project construction best management practices were implemented to minimize soil erosion. There is a 30-foot Centeroint Energy gas main right-of-way paralleling and abutting the west property line. The applicant proposes 1,400 feet of shoreline fringe as mitigation.

The placement of dredged and/or fill material in wetlands and other waters of the United States associated with the mechanized land clearing and filling requires a Department of the Army Permit.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: An initial review indicates that the proposed project would not affect any of the sites in Lincoln Parish listed in the National Register of Historic Places. Copies of this notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, and other interested parties for comment on potential effects to cultural resources that could result from this activity.

Endangered Species: Our initial finding is that the proposed work would not affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators

should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

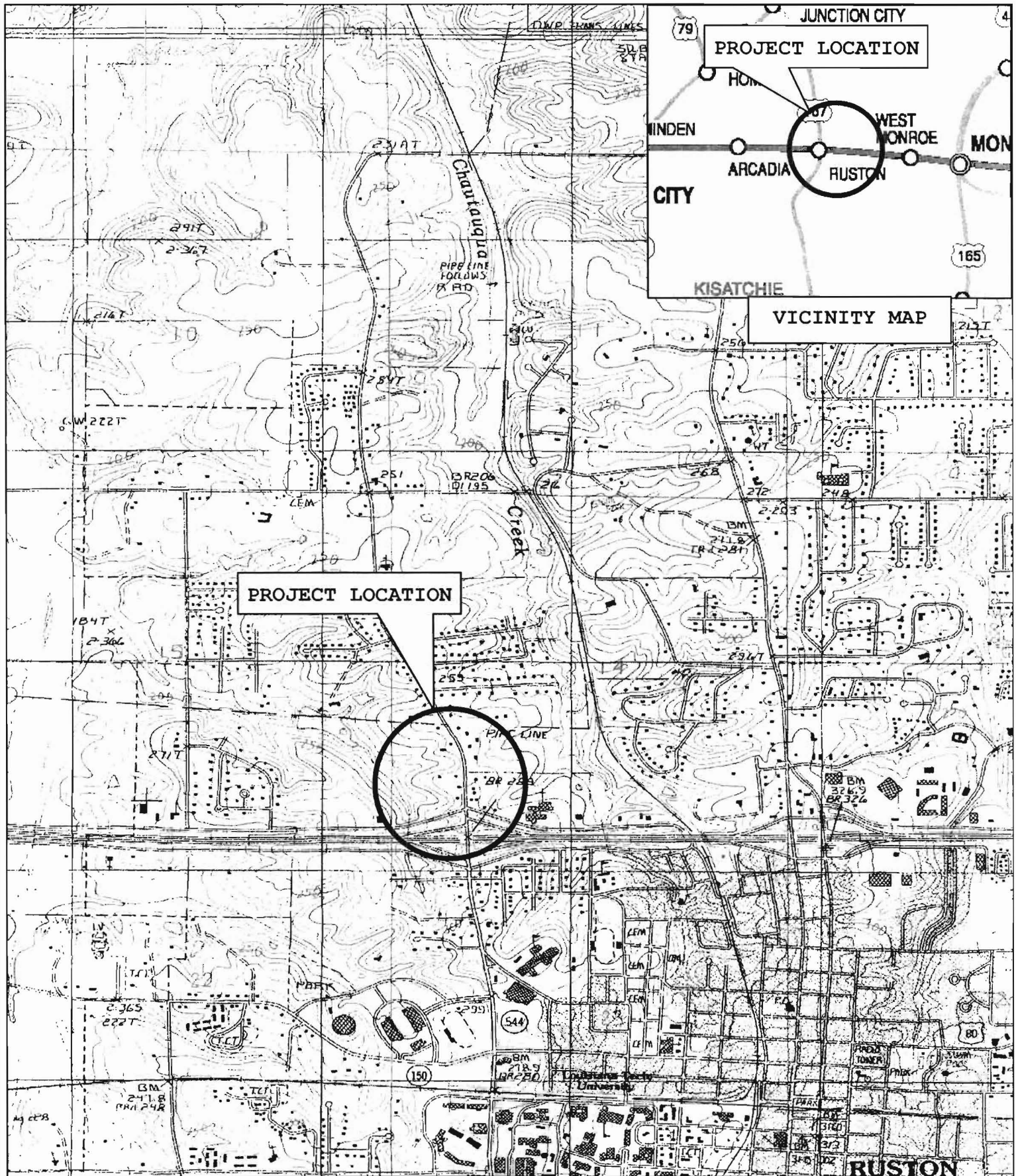
Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/offices/od/odf/main.asp>, or go directly to the Final Permit Actions web page at <http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp>.

A handwritten signature in black ink, reading "Anne S. Woerner". The signature is written in a cursive style with a large, flowing "A" and "W".

Anne S. Woerner
Acting Chief, Evaluation Section

LINCOLN TECH PARTNERS



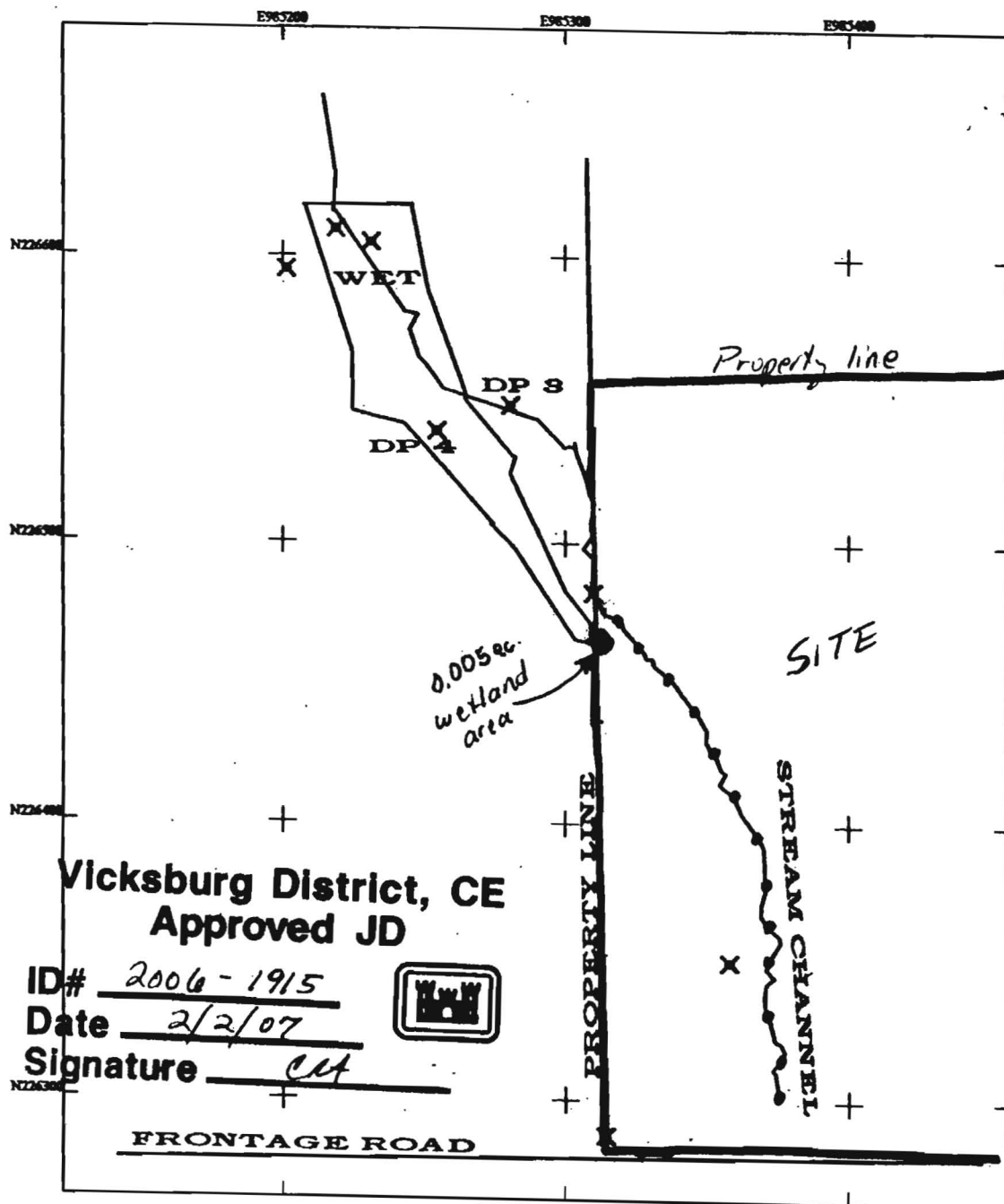


EXHIBIT 3: GPS WETLAND DELINEATION MAP - LINCOLN
TECH PARTNERS

US State Plane 1983
Louisiana North 1701
NAD 1983 (Contiguous)



Scale 1 in : 200 ft



R071315A.cor

12/7/2006

GPS Pathfinder

Trimble

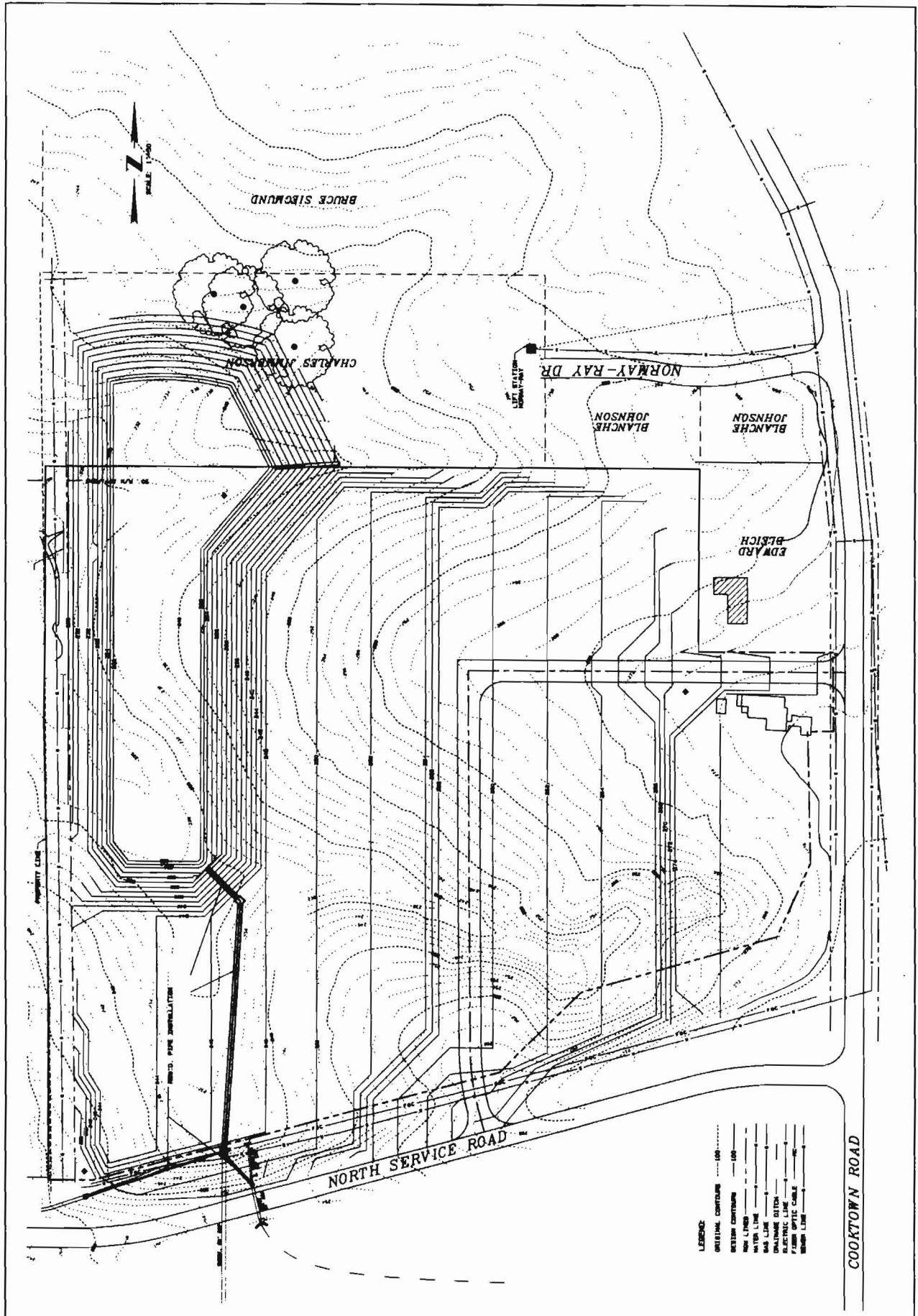
LEGEND

- Property line
- Stream channel
- Wetlands

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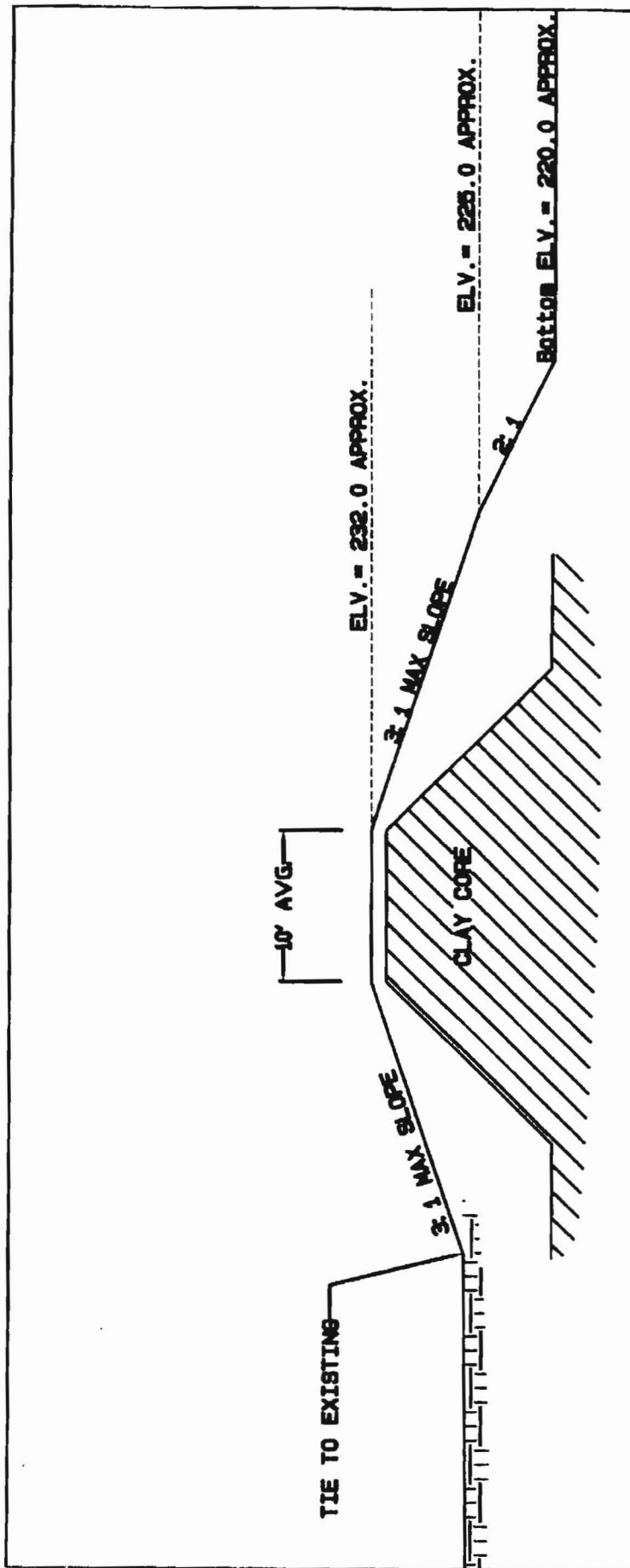
DR RAY ARMSTRONG



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DR RAY ARMSTRONG

TYPICAL CROSS SECTION OF DAM AT LINCOLN TECH PARTNERS POND.